



Proposed Revisions to Clean Air Act Regulations to Address Unavoidable Stack Test Delay

On August 9, 2006, the Environmental Protection Agency (EPA) published a *Federal Register* notice (71 FR 45487) that proposed to allow owners of certain air pollution sources to request a time extension for conducting stack performance tests in response to major events (such as acts of terrorism, equipment failure, or safety hazard beyond the control of the affected facility) that cause unavoidable performance test delays. The proposed rule is available at the DOE Environmental Policy and Guidance Web site at:

<http://www.eh.doe.gov/oepa/rules/71/71fr45487.pdf>.

The proposed rule is applicable to DOE air pollution sources subject to National Emission Standards for Hazardous Air Pollutants (NESHAP) provisions that require sources to conduct stack testing to demonstrate compliance with applicable standards, and DOE sources subject to New Source Performance Standards (NSPS) with comparable stack testing requirements. Since there do not appear to be significant issues of concern to DOE operations in these proposed revisions of limited scope, the Office of Air, Water and Radiation Protection Policy and Guidance (EH-41) does not anticipate submitting comments to EPA on the proposed rule. However, if DOE organizations should have substantive comments or concerns on the proposal, they should forward their comments to Emile Boulos (emile.boulos@eh.doe.gov; 202-586-1306) of EH-41 by October 24, 2006.